been interpreting the law to apply to a broader class of passenger ship traffic, including ferry services that operate between the United States and Canada.

Section 4471 of the Internal Revenue Code was added to the Internal Revenue Code in the Omnibus Reconciliation Act of 1989. The provision originated in the Senate Commerce Committee as a means of that Committee fulfilling its reconciliation instructions. The tax writing committees assumed jurisdiction once it became clear that the provision was more in the nature of a tax than a fee. The fee, as envisioned by the Commerce Committee, was intended to apply to overnight passenger cruises that do not travel between two U.S. ports, and to gambling boats providing gambling entertainment to passengers outside the territorial waters of the U.S.

Unfortunately, the statutory language of the 1989 Act was not drafted in accordance with the intent of Congress. As a result, the tax appears to apply to commercial ferry operations traveling between the United States and Canada. Two such ferries operate between Maine and Nova Scotia. The Maine ferries carry commercial and passenger vehicles to Nova Scotia in the warmer months as a more direct means of transportation between Maine and eastern Canada. As such they are an extension of the highway system, carrying commercial traffic and vacationers. The lengths of the voyages are approximately 11 hours and almost all passengers traveling on the outbound voyages do not return on the inbound voyages of the two ferries. Because the trips are of some length, the ferries provide entertainment for the passengers, including some gaming tables that bring in minimal income.

This is not a voyage for the purpose of gambling and the great majority of the passengers, including children, do not gamble. Clearly, these ferries are not the kind of overnight passenger cruises or gambling boats intended to be covered by the law. However, the IRS has been interpreting the statute to apply this tax to ferries.

The statute establishes a dual test for determining if the tax applies. First, the tax applies to voyages of passenger vessels which extend over more than one night. As a factual matter, the Maine ferries do not travel over more than one night but the IRS interprets that they do because it takes into account both the outward and inward voyage of the vessel. The IRS considers both portions of the trip to be one voyage even though virtually no passengers are the same.

Second, the tax applies to commercial vessels transporting passengers engaged in gambling. Although the intent was to apply the tax to gambling boats, the wording of the statute applies to all passengers on vessels that carry any passengers who engage in gambling, no matter how minor that gambling. That interpretation subjects the Maine ferries to the tax because they earn a minimal amount of income from providing gambling entertainment to some passengers.

The legislation I am introducing clarifies the statute by exempting ferries which are defined as vessels where no more than half of the passengers typically return to the port where the voyage began.

This legislation is not intended to give a special break to a certain class of passenger ships. It is instead intended to clarify the statute so that it achieves its original intent: To tax passengers on cruise ships and gambling voyages, not passengers on ferry boats.

The imposition of the tax to ferries is particularly unfair. First, because Congress did not intend to tax such ferries. Second, because the burden of the tax relative to the price of the ticket, is greater on ferries. Their ticket prices are much lower than tickets for cruise ships so the tax is considerably more burdensome for ferry operations and interferes to a greater extent with their operations.

Similar legislation addressing this issue has been approved by the Finance Committee in the past but the underlying bills were not enacted into law.

I ask unanimous consent that a copy of the introduced legislation be included in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1067

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXEMPTION FOR TRANSPORTATION ON CERTAIN FERRIES.

(a) GENERAL RULE.—Subparagraph (B) of section 4472(1) of the Internal Revenue Code of 1986 (relating to exception for certain voyages on passenger vessels) is amended to read as follows:

''(B) EXCEPTION FOR CERTAIN VOYAGES.—The term 'covered voyage' shall not include—

''(i) a voyage of a passenger vessel of less than 12 hours between 2 ports in the United States, and

''(ii) a voyage of less than 12 hours on a ferry between a port in the United States and a port outside the United States.

For purposes of the preceding sentence, the term 'ferry' means any vessel if normally no more than 50 percent of the passengers on any voyage of such vessel return to the port where such voyage bean on the 1st return of such vessel to such port.''

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to voyages beginning after December 31, 1989; except that—

(1) no refund of any tax paid before the date of the enactment of this Act shall be made by reason of such amendment, and

(2) any tax collected from the passenger before the date of the enactment of this Act shall be remitted to the United States.

By Mr. LAUTENBERG (for himself and Mr. SIMON):

S. 1068. A bill to amend title 18, United States Code, to permanently prohibit the possession of firearms by persons who have been convicted of a violent felony, and for other purposes; to the Committee on the Judiciary.

STOP ARMING FELONS (SAFe) ACT

Mr. LAUTENBERG. Mr. President, today Senator SIMON and I are introducing legislation, the Stop Arming Felons, or SAFe, Act, to close two loopholes in current law that allow convicted violent felons to possess and traffic in firearms.

The legislation would repeal an existing provision that automatically restores the firearms privileges of convicted violent felons and drug offenders when States restore certain civil rights. In addition, the bill would abolish a procedure by which the Bureau of Alcohol, Tobacco and Firearms can waive Federal restrictions for individuals otherwise prohibited from possessing firearms or explosives.

As a general matter, Mr. President, Federal law probibits any person convicted of a felony from possessing firearms or explosives. However, there are two gaping loopholes.

I call the first the ''State guns for felons loophole.'' Under this provision, if a felon's criminal record has been expunged, or his basic civil rights have been restored under State law—that is, rights like the right to vote, the right to hold public office, and the right to sit on a jury—then the conviction is wiped out and all Federal firearm privileges are restored.

Many States automatically expunge the records or restore the civil rights of even the most dangerous felons. Sometimes this happens immediately after the felon serves his or her sentence. Sometimes, the felon must wait a few years. The restoration of rights or expungement often is conferred automatically by statute—not based on any individualized determination that a given criminal has reformed.

As a result of this loophole, which was added with little debate in 1986, even persons convicted of horrible, violent crimes can legally obtain firearms.

Mr. President, I think most Americans would agree that this guns for felons loophole makes no sense. Given the severity of our crime problem, we should be looking for ways to get tougher, not easier, on convicted felons. How can the government claim to be serious about crime, and then turn around and give convicted violent felons their firearms back?

I recognize that, according to some theories, the criminal justice system is supposed to rehabilitate convicted criminals. But in reality, many of those released from prison soon go back to their violent ways. According to the Justice Department, of State prisoners released from prison in 1983, 62.5 percent were arrested within only 3 years. Knowing that, how many Americans would want convicted violent felons carrying firearms around their neighborhood?

This guns for felons loophole also is creating a major obstacle for Federal law enforcement.

The Justice Department reports that many hardened criminals are escaping

prosecution under the Armed Career Criminal Act, which prescribes stiff penalties for repeat offenders, because the criminals' prior convictions have automatically been nullified by State law. It is a very serious problem. According to testimony before the House Judiciary Committee, for example, the U.S. Attorney in Montana believes that this provision has virtually gutted her ability to minimize violent crime by keeping guns out of the hands of known criminals in Montana.

Concern about the guns for felons loophole is not limited to Federal law enforcement officials. State and local law enforcement officers also feel strongly about this. The Presidents of the Fraternal Order of Police, the National Association of Police Organizations, and the International Brotherhood of Police Officers have written that the loophole is having ''terrible results'' around the country, and rearming people with long criminal records.

Mr. President, the legislation that Senator SIMON and I are offering today would close this State guns-for-felons loophole. Under the bill, persons convicted of violent felonies or serious drug offenses would be banned from possessing firearms, regardless of whether a State restores other rights, or expunges their record.

In the case of those convicted of other, nonviolent felonies, a State's restoration of civil rights, or expungement, would not eliminate the Federal firearm prohibition unless the State makes an individualized determination that the person does not threaten public safety.

As under current law, if a conviction is reversed or set aside based on a determination that it is invalid, or the person is pardoned unconditionally, the Federal firearm prohibition would not apply.

Otherwise, though—and this is the essential message of the legislation—convicted violent felons and serious drug offenders would be strictly prohibited from possessing firearms. Not just for a year. Not just for a few years. But for the rest of their lives.

Let me turn now to the second ''guns for felons loophole.''

I think of this as the Federal guns for felons loophole. You could also call it the bombs for felons loophole.

Even if a felon's civil rights have not been restored under State law, nor his records expunged, there is another way that a criminal can legally obtain guns or explosives. The Bureau of Alcohol, Tobacco and Firearms can simply issue a waiver.

Under this second loophole, convicted felons of every stripe can apply to ATF, which then must perform a broad based field investigation and background check. If the Bureau believes that the applicant does not pose a threat to public safety, it can grant a waiver.

Between 1981 and 1991, 5600 waivers were granted.

Mr. President, this relief procedure has an interesting history. It was first established in 1965 not to permit common criminals to get access to guns, but to help out a particular firearm manufacturer, called Winchester. Winchester had pleaded guilty to felony counts in a kickback scheme. Because of the conviction, Winchester was forbidden to ship firearms in interstate commerce. The amendment was approved to allow Winchester to stay in business.

Because it was drafted broadly, however, the waiver provision applied not only to corporations like Winchester, but to common criminals. Originally, waivers were not available to those convicted of firearms offenses. But the loophole was further expanded in 1986, when Congress allowed even persons convicted of firearms offenses, as well as those involuntarily committed to a mental institution, to apply for a waiver.

Between 1981 and 1991, ATF processed well over 13,000 applications at taxpayer expense. Many of these have required a substantial amount of scarce time and resources. ATF investigations can last weeks, including interviews with family, friends, and the police.

In the late 1980's, the cost of processing and investigating these petitions worked out to about $10,000 for each waiver granted. It is hard to imagine a more outrageous waste of taxpayer dollars.

Of course, Mr. President, giving firearms to convicted violent felons is more than a problem of wasted taxpayer dollars and misallocated ATF resources. It also threatens public safety.

The Violence Policy Center sampled 100 case files of those who had been granted relief. The study found that 41 percent had been convicted of a crime of violence, or a drug or firearms offense. The crimes of violence included several homicides, sexual assaults, and armed robberies.

Under the relief procedure, ATF officials are required to guess whether criminals like these can be entrusted with deadly weapons. Needless to say, it is a difficult task. Even after Bureau investigators spend long hours investigating a particular criminal, there is no way to know with any certainty whether he or she is still dangerous.

The law forces officials to make these types of guesses, knowing that a mistake could have tragic consequences for innocent Americans; consequences that could range from serious bodily injury to death.

What happens when convicted felons get their firearms rights back? Well, some apparently go back to their violent ways. Those granted relief subsequently have been rearrested for crimes ranging from attempted murder to rape, kidnapping, and child molestation.

Mr. President, this simply has got to stop.

In fact, Senator SIMON and I have been successful over the past three years in securing language in the Treasury, Postal Service and General Government Appropriations Bill that prohibits the use of appropriated funds to implement the ATF relief procedure with respect to firearms. However, a funding ban is merely a stop-gap measure effective for one fiscal year. This bill would eliminate the relief procedure permanently. As we see it, Federal taxpayers should never be forced to pay a single cent to arm a felon.

I also would note that the existing funding ban applies only to firearm waivers. ATF still is allowed to provide waivers for convicted felons who want to possess or traffic in explosives. The waivers for explosives are not granted often, and seem to be less of a problem. But in light of the Oklahoma City bombing, how many Americans would want any of their tax dollars spent so that convicted felons can obtain explosives?

Mr. President, there is broad support for closing the guns for felons loophole. In 1992, the Constitution Subcommittee of the Judiciary Committee held a hearing on this matter. At that hearing, the Fraternal Order of Police, the National Association of Police Organizations, and the International Brotherhood of Police Officers all testified that these loopholes must be closed. In addition, I would note that both the New York Times and the Washington Post have editorialized on this matter.

Mr. President, I would like to take a moment and say a word to those who generally oppose gun control measures. I know that many Americans are very concerned about any effort that could lead to broad restrictions on guns. So I want to emphasize something: this is an anticriminal bill. And a pro-taxpayer bill. Law-abiding citizens have nothing to fear, and everything to gain from a prohibition on firearm possession by violent felons and serious drug offenders.

In conclusion, Mr. President, firearm violence has reached epidemic proportions. We have a responsibility to the victims and prospective victims to take all reasonable steps to keep this violence to a minimum. Keeping firearms away from convicted violent felons and serious drug offenders is the least these innocent Americans should be able to expect.

I ask unanimous consent that a copy of the bill be printed in the RECORD at this point, along with some related materials.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1068

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stop Arming Felons (SAFe) Act''.

SEC. 2. ADMINISTRATIVE RELIEF FROM CERTAIN FIREARMS AND EXPLOSIVES PROHIBITIONS.

(a) IN GENERAL.—(1) Section 925(c) of title 18, United States Code, is amended—

(A) in the first sentence by inserting ''(other than a natural person)'' before ''who is prohibited'';

(B) in the fourth sentence—

(i) by inserting ''person (other than a natural person) who is a'' before ''licensed importer''; and

(ii) by striking ''his'' and inserting ''the person's''; and

(C) in the fifth sentence, by inserting ''(i) the name of the person, (ii) the disability with respect to which the relief is granted, (iii) if the disability was imposed by reason of a criminal conviction of the person, the crime for which and the court in which the person was convicted, and (iv)'' before ''the reasons therefor''.

(2) Section 845(b) of title 18, United States Code, is amended—

(A) in the first sentence by inserting ''(other than a natural person)'' before ''may make application to the Secretary''; and

(B) in the second sentence by inserting ''(other than a natural person)'' before ''who makes application for relief''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply to—

(1) applications for administrative relief and actions for judicial review that are pending on the date of enactment of this Act; and

(2) applications for administrative relief filed, and actions for judicial review brought, after the date of enactment of this Act.

SEC. 3. PERMANENT FIREARM PROHIBITION FOR CONVICTED VIOLENT FELONS AND SERIOUS DRUG OFFENDERS.

Section 921(a)(20) of title 18, United States Code, is amended—

(1) in the first sentence—

(A) by inserting ''(A)'' after ''(20)''; and

(B) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) in the second sentence, by striking ''What'' and inserting the following:

''(B) What''; and

(3) by striking the third sentence and inserting the following new subparagraph:

''(C) A conviction shall not be considered to be a conviction for purposes of this chapter if—

''(i) the conviction is reversed or set aside based on a determination that the conviction is invalid;

''(ii) the person has been pardoned, unless the authority that grants the pardon expressly states that the person may not ship, transport, posses, or receive firearms; or

''(iii) the person has had civil rights restored, or the conviction is expunged, and—

''(I) the authority that grants the restoration of civil rights or expungement expressly authorizes the person to ship, transport, receive, and possess firearms and expressly determines that the circumstances regarding the conviction and the person's record and reputation are such that the person is not likely to act in a manner that is dangerous to public safety, and that the granting of the relief is not contrary to the public interest; and

''(II) the conviction was for an offense other than a serious drug offense (as defined in section 924(e)(2)(A)) or violent felony (as defined in section 924(e)(2)(B)).''.

[From the Washington Post, Nov. 27, 1991]

$4 MILLION A YEAR TO REARM FELONS

Congress, reluctant for so long to buck the National Rifle Association, has come to understand the importance of controlling firearms. Whether or not the measure becomes law this year, both houses have now voted for a waiting period before the purchase of a handgun, and the Senate was even willing to prohibit the sale of certain kinds of semiautomatic assault weapons. Another proposal to limit gun possession, first suggested by the Washington-based Violence Policy Center, was offered too late for inclusion in the crime bill but will be introduced by its sponsors, Rep. Edward Feighan (D-Ohio) and Rep. Lawrence Smith (D-Fla.), when Congress returns in January.

By statute, the Treasury's Bureau of Alcohol, Tobacco and Firearms is required to process applications submitted by convicted felons seeking to have their right to own guns restored. In general, such individuals are prohibited form possessing, shipping, transporting or receiving firearms, but a special exception was created to allow the federal government to restore these rights in some circumstances. The loophole was created to save the Winchester Firearms Co.—whose parent company had been convicted in a kickback scheme—from bankruptcy. Unfortunately, the law is broad enough to encompass individuals who are found ''not likely to act in a manner dangerous to public safety,'' and because special appellate rights have been granted to applicants who are turned down, BATF must take every application seriously and be able to justify every ruling.

How does a federal agency go about deciding which felons, of the 10,000 who have applied for restoration of gun rights, would constitute a danger to society if allowed to own a firearm? By full field investigations involving interviews with family, friends, neighbors and business associates of the applicant, by reviewing criminal records and parole histories and by relying on the expert judgment of professionals trained to assess an individuals's potential for violence—if, indeed, that can be done. All this takes a great deal of time and costs the taxpayer about $1 million a year.

The idea of the government's making a special effort to rearm convicted felons is difficult to fathom. The continued expenditure, in tight budget times, of millions of dollars to implement this program is impossible to justify. Both situations should be remedied by the passage of the Feighan-Smith bill early next year.

[From The Washington Post, Jul. 5, 1995]

OUT OF PRISON AND ARMED AGAIN.

The National Rifle Association showed its muscle last week during a House Appropriations subcommittee markup. As a result, Congress is now on track to restoring one of the most senseless programs ever to be foisted on the executive branch. It involves firearms and convicted felons, and contrary to all reason, members of Congress have now taken the first step toward putting the two together.

Federal law rightly bars convicted felons from possessing, shipping, transporting or receiving firearms or ammunition. It's one of the penalties, like losing the right to vote or run for office, imposed on people who commit serious crimes. But in the '60s a loophole was created allowing the secretary of the Treasury to lift this prohibition in cases in which the criminal was ''not likely to act in a manner dangerous to public safety.'' The change was made to save the Winchester Firearms Co., whose parent corporation, Olin Mathieson, had pleaded guilty to felony kickback charges. Without the waiver, the gun company would have gone into bankruptcy. Unfortunately, individuals began applying to have their firearms rights restored, too. And nine years ago, the problem was exacerbated when Congress gave every dissatisfied applicant the right to challenge a denial in court.

The Bureau of Alcohol, Tobacco and Firearms is charged with implementing this program, and it was spending millions each year and assigning 40 agents full-time to do background checks on applicants. In 1992, however, Congress in effect ended the program by prohibiting the use of appropriated funds for that purpose. While the NRA likes to talk about the otherwise law-abiding stockbroker caught in a financial swindle and now cut off from his beloved hobby of deer hunting, the truth is that the rights restoration program regularly enabled violent offenders to rearm. A number were convicted of new gun crimes after their rights were restored.

Now the Treasury subcommittee of House Appropriations has voted to resurrect the program. This is nonsense. Even if felons are required to pay the cost of investigations themselves, even if violent criminals and gun offenders are excluded from the benefit, the whole idea of putting weapons in the hands of men and women who are serious offenders is irrational. It's hard enough these days to distinguish an ordinary citizen from a potential killer with a grudge. But people who have already been convicted of a felony are easy to identify. Why spend the government's time and money to restore such a person's right to arm himself to the teeth, when his track record affords legitimate reason to keep him away from weapons? The Appropriations subcommittee is off to a very bad start in this direction, and responsible forces on the Hill should see to it that the effort is deep-sixed.

Mr. SIMON. Mr. President, today I introduce the Stop Arming Felons Act [SAFe], a bill to correct dangerous Federal and State legislative loopholes which allow convicted felons to possess firearms.

Until Senator LAUTENBERG and I shut down funding for the Federal loophole in 1992, millions of taxpayers' dollars had been spent rearming felons. This money was spent because a 1965 gun control statute has required the Bureau of Alcohol, Tobacco and Firearms [BATF] to process gun ownership applications submitted by convicted felons. While in general the 1968 Gun Control Act prohibits persons convicted of crimes punishable by imprisonment for a term exceeding 1 year from possessing a firearm, this 1965 loophole allowed convicted felons to apply to BATF and petition for a waiver on the ground that the felon ''will not be likely to act in a manner dangerous to public safety.''

Certainly, this wasn't the intention of Congress when it passed the exemption in 1965. In fact, it was passed as a favor to the Winchester Firearms Co., whose parent organization had been found guilty of a kickback scheme. Without the amendment, the company would have gone bankrupt. In 1968, however, the language was expanded to allow individuals to apply.

According to the Washington Post, some 22,000 such applications for exemption by individuals were processed by BATF from 1986–91—at a taxpayer cost of approximately $4 million a year. This means that from fiscal years 1985 to 1991, BATF spent well over $20 million to investigate gun possession applications submitted by felons. Not only is the process costly, it's also very laborious. Because the applicants' eligibility is dependent upon the laws of the State where they were convicted, BATF agents must be familiar with 50

different statutes. Furthermore, many of the numerous applications for relief require a background check and an extensive investigation of the former felon. These time consuming, often tedious investigations are performed by agents who would otherwise be investigating violent crimes.

Senator LAUTENBERG and I have successfully shut down funding for the BATF Program since 1992 through the appropriations process. This year, however, a House subcommittee voted to lift the funding prohibition on a partyline vote. Fortunately, Congressman DURBIN and his Democratic colleagues successfully reinstated the prohibition at the full committee markup. It is time to put a permanent end to this program, or we risk getting into annual appropriations struggles over whether or not to spend money rearming felons. Indeed, when the House committee first agreed to revise the action of the subcommittee, they offered language which stated that there should be no assurance that the funding prohibition would be maintained in fiscal year 1997. Again, Congressman DURBIN successfully offered an amendment to strike that language.

When the House subcommittee voted to restore funding this year, Chairman LIGHTFOOT stated: ''I don't see this as dangerous. Violent people won't apply in the first place.'' Similarly, an NRA spokesman claimed: ''We're talking about individuals who may have run afoul of Federal law but paid their debt to society.''

These statements are simply untrue. Running ''afoul'' of Federal law would be a huge understatement to describe many of the crimes committed by the felons who not only apply for relief, but who are actually granted waivers by the BATF under this program. For example, according to a 1992 Violence Policy Center study, out of a random sample of 100 applicants who were granted relief by the BATF, 11 originally were convicted of burglary, 17 were convicted of drug-related offenses, 8 were convicted of firearm violations, 5 were convicted of robbery, including 1 who committed armed robbery with a handgun, and 5 were convicted of sexual assault, including aggravated rape, sodomy, and child molestation. Here are some of the stories behind the numbers:

Jerome Sanford Brower was granted relief after pleading guilty to charges of conspiracy to transport explosives. He transported explosives to Libya and instructed Libyans in defusing explosive devices.

An applicant was granted relief in 1989 after serving 24 months for voluntary manslaughter after killing his cousin with a 16-gauge shotgun.

An applicant, granted relief in 1989, pleaded guilty to sexual abuse after assaulting his 14-year-old stepdaughter.

An applicant, granted relief in 1989, was convicted of armed robbery and served 18 months for robbing a K-Mart with a loaded .38 caliber revolver.

In addition to these examples, the numbers of applicants rejected also gives us insight into the types of felons who are applying to regain their right to carry a weapon. After conducting extensive investigations, the BATF may deny the applications of felons who will ''be likely to act in a manner dangerous to public safety.'' Under this standard, the BATF found it necessary to deny 3,498, or approximately one-third of all applications, between 1981–91. In other words, BATF determined that almost 3,500 applicants might pose a threat to public safety.

Not only do violent felons apply to have their rights restored, but many commit crimes after their applications are approved by the BATF. Almost 5 percent of those felons granted relief in 1986 were rearrested by 1990. According to the Violence Policy Center's report, none of these recidivist crimes were white collar, but rather were violent crimes ranging from attempted murder, sexual assault, abduction-kidnapping, child molestation, drug trafficking, and illegal firearms possession.

Amazingly, an application for relief isn't always necessary: several States automatically restore gun privileges to felons upon the completion of their sentence. In other words, some States restore the civil rights, including their firearms rights, of convicted felons the minute they walk out of prison, or within several months of their release. Felons in these States need not even apply to BATF to get their firearms rights restored. This State loophole, in the words of a Justice Department official, is ''the biggest problem'' facing U.S. attorney's today.

Perhaps the most disturbing case of this type has been that of Idaho felon Baldemar Gomez. He had been convicted of second-degree murder, voluntary manslaughter and battery on a correctional officer. However, because Idaho was one of the States that automatically restored convicts' civil rights upon their release from prison, in the words of Assistant U.S. Attorney Kim Lindquist, ''when Baldemar walked out of the penitentiary, someone could have been standing there and handed him a shotgun and it would have been entirely legal * * *''. In 1987, Gomez was rearrested during a drug raid and was convicted of violating the Gun Control Act by knowingly possessing a firearm after having been previously convicted of a crime punishable by imprisonment for a period of more than 1 year. However, this conviction was overturned by the U.S. Court of Appeals because of Idaho's automatic relief provision.

In response to the Gomez case, the Idaho legislature changed its law so that felons must wait 5 years after their sentence and then get State approval in order to own a firearm. Some States, however, still have laws which restore firearms rights to convicted felons without such review.

Fortunately, we can eliminate these dangerous loopholes by passing the Stop Arming Felons Act [SAFe]. Our act can put a permanent end to the unnecessary expense of the BATF Program and put the agents at BATF back to work on the investigation of violent crimes—not convicted felons. Specifically, the bill would prohibit individuals, including felons and fugitives from Justice, from applying to BATF for firearms disability relief.

Furthermore, the SAFe Act would address the State loophole by prohibiting States from restoring firearm privileges to violent felons. Nonviolent felons may be granted a waiver, but only after the State has made an individualized determination that the person would not pose a threat to public safety.

How would this bill affect Illinois? Illinois law currently allows the State police to grant firearms privileges to nonviolent felons. Forcible—or violent—felons may not apply for relief. Because our proposed bill and the current Illinois firearm privilege restoration procedures are so similar, Illinois would benefit from this bill, because the residents of Illinois would no longer have to fund the BATF relief procedure through their taxes.

I feel confident that most of my colleagues will support this measure. While many of us have differed in the past over issues such as controlling assault weapons and passing a handgun waiting period, I think we can all agree that convicted felons should not be applying to the Federal Government for firearms relief at the taxpayers' expense—nor should violent felons be getting relief from the States. This is simply common sense. I urge all of my colleagues to join me in this effort.

ADDITIONAL COSPONSORS

S. 684

At the request of Mr. HATFIELD, the names of the Senator from Virginia [Mr. WARNER] and the Senator from South Carolina [Mr. HOLLINGS] were added as cosponsors of S. 684, a bill to amend the Public Health Service Act to provide for programs of research regarding Parkinson's disease, and for other purposes.

S. 770

At the request of Mr. DOLE, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 770, a bill to provide for the relocation of the United States Embassy in Israel to Jerusalem, and for other purposes.

S. 832

At the request of Mr. GRAHAM, the names of the Senator from Florida [Mr. MACK] and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of S. 832, a bill to require the Prospective Payment Assessment Commission to develop separate applicable percentage increases to ensure that medicare beneficiaries who receive services from medicare dependent hospitals receive the same quality of care and access to services as medicare

beneficiaries in other hospitals, and for other purposes.

S. 942

At the request of Mr. BOND, the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of S. 942, a bill to promote increased understanding of Federal regulations and increased voluntary compliance with such regulations by small entities, to provide for the designation of regional ombudsmen and oversight boards to monitor the enforcement practices of certain Federal agencies with respect to small business concerns, to provide relief from excessive and arbitary regulatory enforcement actions against small entities, and for other purposes.

S. 1014

At the request of Mr. NICKLES, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of S. 1014, a bill to improve the management of royalties from Federal and Outer Continental Shelf oil and gas leases, and for other purposes.

S. 1060

At the request of Mr. LEVIN, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 1060, a bill to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes.

S. 1061

At the request of Mr. LEVIN, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 1061, a bill to provide for congressional gift reform.

SENATE RESOLUTION 149

At the request of Mr. AKAKA, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of Senate Resolution 149, a resolution expressing the sense of the Senate regarding the recent announcement by the Republic of France that it intends to conduct a series of underground nuclear test explosions despite the current international moratorium on nuclear testing.

AMENDMENTS SUBMITTED

LOBBYING DISCLOSURE ACT OF 1995

MCCAIN (AND COHEN) AMENDMENT NO. 1836

Mr. MCCAIN (for himself and Mr. COHEN) proposed an amendment to the bill (S. 1060) to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes; as follows:

On page 5, line 9, strike paragraphs (5) and renumber accordingly.

On page 6, line 5, strike ''Lobbying activities also include efforts to stimulate grassroots lobbying'' and all that follows through the end of the paragraph and insert in lieu thereof the following:

''Lobbying activities do not include grassroots lobbying communications or other communications by volunteers who express their own views on an issue, but do include paid efforts, by the employees or contractors of a person who is otherwise required to register, to stimulate such communications in support of lobbying contacts by a registered lobbyist.''

On page 8, line 11, strike ''that is widely distributed to the public'' and insert ''that is distributed and made available to the public''.

On page 9, line 11, strike ''a written request'' and insert ''an oral or written request''.

On page 13, line 15, strike ''1 or more lobbying contacts'' and insert ''more than one lobbying contact''.

On page 13, line 17 and 18, strike ''10 percent of the time engaged in the services provided by such individual to that client'' and insert ''20 percent of the time engaged in the services provided by such individual to that client over a six month period''.

On page 16, line 3, strike ''30 days'' and insert ''45 days''.

On page 16, line 8, strike ''the Office of Lobbying Registration and Public Disclosure'' and insert ''the Secretary of the Senate and the Clerk of the House of Representatives''.

On page 16, line 23, strike ''$2,500'' and insert ''$5,000''.

On page 17, line 2, strike ''$5,000'' and insert ''$10,000''.

On page 17, line 22, strike ''shall be in such form as the Director shall prescribe by regulation and''.

On page 18, line 10, strike ''$5,000'' and insert ''$10,000''.

On page 18, line 19, strike ''$5,000'' and insert ''$10,000''.

On page 20, line 18, strike ''the Director'' and insert ''the Secretary of the Senate and the Clerk of the House of Representatives''.

On page 20, line 21, strike ''30 days'' and insert ''45 days''.

On page 21, line 1, strike ''the Office of Lobbying Registration and Public Disclosure'' and insert ''the Secretary of the Senate and the Clerk of the House of Representatives''.

On page 21, line 12, strike ''$2,500'' and insert ''$5,000''.

On page 21, line 17, strike ''$5,000'' and insert ''$10,000''.

On page 21, line 23, strike ''the Director in such form as the Director may prescribe'' and insert ''the Secretary of the Senate and the Clerk of the House of Representatives''.

On page 22, line 6, strike ''shall be in such form as the Director shall prescribe by regulation and''

On page 23, line 20, strike subsection (c) and insert in lieu thereof the following:

''(c) ESTIMATES OF INCOME OR EXPENSES.—For purposes of this section, estimates of income or expenses shall be made as follows:

''(1) Estimates of amounts in excess of $10,000 shall be rounded to the nearest $20,000.

''(2) In the event income or expenses do not exceed $10,000, the registrant shall include a statement that income or expenses totaled less than $10,000 for the reporting period.

''(3) A registrant that reports lobbying expenditures pursuant to section 6033(b)(8) of the Internal Revenue Code of 1986 may satisfy the requirement to report income or expenses by filing with the Secretary of the Senate and the Clerk of the House of Representatives a copy of the form filed in accordance with section 6033(b)(8).''

On page 25, line 24, strike subsection (e).

On page 31, line 1 and all that follows through line 17 on page 47, and insert in lieu there of the following:

''SEC. 7. DISCLOSURE AND ENFORCEMENT.

''(a) The Director of the Office of Government Ethics shall—

(1) provide guidance and assistance on the registration and reporting requirements of this Act; and

''(2) after consultation with the Secretary of the Senate and the Clerk of the House of Representatives, develop common standards, rules, and procedures for compliance with this Act.

''(b) The Secretary of the Senate and the Clerk of the House of Representatives shall—

''(1) review, and, where necessary, verify and inquire to ensure the accuracy, completeness, and timeliness of registration and reports;

''(2) develop filing, coding, and cross-indexing systems to carry out the purpose of this Act, including—

''(A) a publicly available list of all registered lobbyists and their clients; and

''(B) computerized systems designed to minimize the burden of filing and minimize public access to materials filed under this Act;

''(3) ensure that the computer systems developed pursuant to paragraph (2) are compatible with computer systems developed and maintained by the Federal Election Commission, and that information filed in the two systems can be readily cross-referenced;

''(4) make available for public inspection and copying at reasonable times the registrations and reports filed under this Act;

''(5) retain registrations for a period of at least 6 years after they are terminated and reports for a period of at least 6 years after they are filed;

''(6) compile and summarize, with respect to each semiannual period, the information contained in registrations and reports filed with respect to such period in a clear and complete manner;

''(7) notify any lobbyist or lobbying firm in writing that may be in noncompliance with this Act; and

''(8) notify the United States Attorney for the District of Columbia that a lobbyist or lobbying firm may be in noncompliance with this Act, if the registrant has been notified in writing and has failed to provide an appropriate response within 60 days after notice was given under paragraph (6).

''SEC. 7. PENALTIES.

''Whoever knowingly fails to—

''(1) remedy a defective filing within 60 days after notice of such a defect by the Secretary of the Senate or the Clerk of the House of Representatives; or

''(2) comply with any other provision of this Act; shall, upon proof of such knowing violation by a preponderance of the evidence, be subject to a civil fine of not more than $50,000, depending on the extent and gravity of the violation.''

On page 48, line 2, strike ''the Director or''.

On page 48, line 9, strike ''the Director'' and insert ''the Secretary of the Senate or the Clerk of the House of Representatives''.

On page 54, line 9, strike Section 18.

On page 55, line 23, strike Section 20.

On page 58, line 5, strike ''the Director'' and insert ''the Secretary of the Senate and the Clerk of the House of Representatives''.

On page 59, strike line 3 and all that follows through the end of the bill, and insert in lieu thereof the following:

''SEC. 22. EFFECTIVE DATES.

''(a) Except as otherwise provided in this section, this Act and the amendments made by this Act shall take effect on January 1, 1997.

''(b) The repeals and amendments made under sections 13, 14, 15, and 16 shall take effect as provided under subsection (a), except that such repeals and amendments—

''(1) shall not affect any proceeding or suit commenced before the effective date under subsection (a), and in all such proceedings or